

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

)
) MDL NO. 1456
) Civil Action No. 01-12257-PBS
) Subcategory No. 07-12141

THIS DOCUMENT RELATES TO:

State of Iowa

v.

Abbott Laboratories Inc., et al.

)
) Judge Patti B. Saris
)
)
)
)

JULY 2010 STATUS REPORT FOR THE STATE OF IOWA

The undersigned counsel for the State of Iowa (hereinafter referred to as “plaintiff”) hereby submits the attached Status Report for July 2010, in accordance with the Court’s June 17, 2004 Procedural Order.

Dated: July 1, 2010

Respectfully submitted,

KIRBY McINERNEY, LLP
825 Third Avenue
New York, New York 10022
(212) 371-6600

By: /s/ Joanne M. Cicala

Joanne M. Cicala

Counsel for the State of Iowa

July 2010 Status Report for the State of Iowa

Discovery

1. Joint Motion to Modify Certain Pre-Trial Dates

On June 29, 2010 plaintiff and defendants filed a joint motion to modify certain pre-trial dates. *See* Docket No. 7154, Sub-docket No. 82. The motion seeks to modify the deadlines for expert discovery so that (1) plaintiff's expert reports will be served by November 1, 2010, (2) plaintiff's expert depositions will be completed by December 15, 2010, (3) defendants' expert reports will be served by January 31, 2011, and (3) defendants' expert depositions will be completed by March 18, 2011. This motion remains *sub-judice*.

2. Schering's Motion for a Protective Order

On March 5, 2010, defendant Schering filed a motion for protective order and to quash a notice of deposition served by plaintiff on March 1, 2010. *See* Docket No. 6964, Sub-docket No. 70; Docket No. 6965, Sub-docket No. 71.

On March 26, 2010, plaintiff filed its opposition to defendant Schering's motion for protective order. *See* Docket No. 7009, Sub-docket No. 73. This motion remains *sub-judice*.

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 1st day of July, 2010, she caused a true and correct copy of the above July 2010 Status Report for the State of Iowa to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: July 1, 2010

/s/ Kathryn B. Allen
Kathryn B. Allen
Kirby McInerney LLP
825 Third Avenue
New York, NY 10022
(212) 371-6600